

**AUGUST 28, 2006  
PARMA CITY HALL COUNCIL CHAMBER  
SPECIAL COUNCIL MEETING  
6:45 P.M.**

The Special Council Meeting was called to order by President of Council Charles M. Germana presiding:

**COUNCIL MEMBERS PRESENT:**

SEAN P. BRENNAN  
NICHOLAS J. CELEBREZZE  
BRIAN DAY  
MARY GALINAS  
ROY J. JECH  
KENNETH A. RAMSER  
THOMAS J. REGAS  
SCOTT M. TUMA

**COUNCIL MEMBERS ABSENT:**

LARRY NAPOLI

Mrs. Swade – Mr. President, the Roll of Council has been called, and I find a quorum of Council members present.

The following officials and department heads were also present: Mayor Dean E. DePiero, Chief Assistant Law Director Tony Zampedro, Auditor Dennis M. Kish, Treasurer Anthony Zielinski, Mayor's Administrative Assistant Meghann McCall, Director of Public Housing Lev Kulchytsky, and Deputy Clerk I Elaine Swade.

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**NOTICE OF SPECIAL MEETING OF COUNCIL**

**THE STATE OF OHIO )  
CUYAHOGA COUNTY )  
CITY OF PARMA )**

**ss. To Chief of Police Daniel Hoffman**

**Greetings**

WHEREAS, it appears that the public business of this City requires that the Council meet in *Special* session to consider such business as may come before it, and,

WHEREAS, I have convened and do hereby convene said City Council to meet in *Special* session on Monday, the 28<sup>th</sup> of August A.D. 2006, immediately following Special Finance Committee Meeting at 6:30 o'clock P.M., eastern daylight savings time, at the Council Chamber in said City, to consider such matters as may come before it as fully and completely as might be done in regular session of said Council:

**VARIANCES:**

**To be read and referred to the Planning Committee:**

1. James & Bonnie Bosela, 3925 Dentzler Road, Parma, Ohio 44134, PPN 452-36-001 and 050 requesting an "Area" Variance of Section 1187.01(a) – AREA REGULATIONS – AREA DISTRICTS CLASSIFICATIONS.

2. Dane Beamish, 7502 Essen Avenue, Parma, Ohio 44129, PPN 449-04-058 & 059, requesting an "Area" Variance of Section 1153.03(a) – SINGLE FAMILY HOUSE DISTRICTS – ACCESSORY USES AND BUILDINGS – PRIVATE GARAGES AND PARKING AREAS.

3. Dane Beamish, 7502 Essen Avenue, Parma, Ohio 44129, PPN 449-04-058 & 059, requesting an "Area" Variance of Section 1191.01 – REAR YARDS – RESIDENCE DISTRICTS.

**To be acted on:**

4. Request for a Variance extension for Ferenc and Clara Boda for property located on Roanoke Drive, Parcel "C", PPN is "Parcel C".



**SUSPENSION OF THE RULES CONTINUED:**

Resolution No. 305-06

8/28/06 L-306-06  
(Special Meeting)

BY: S. M. TUMA  
(By Request – Auditor)

A RESOLUTION APPROVING THE CITY AUDITOR'S POST CERTIFICATION  
OF REQUISITIONS AS DETAILED IN EXHIBIT "A", AND DECLARING AN  
EMERGENCY

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Resolution No. 306-06

8/28/06 L-307-06  
(Special Meeting)

BY: S. M. TUMA  
(By Request – Auditor)

A RESOLUTION APPROVING THE CITY AUDITOR'S CASH TRANSFERS,  
AND DECLARING AN EMERGENCY

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You are therefore commanded to summon Mayor Dean E. DePiero, Law Director  
Timothy Dobeck, Auditor Dennis Kish, Treasurer Anthony C. Zielinski, Service Director Brian  
Higgins, Safety Director Gregory Baeppler, President of Council Charles M. Germana, Mary  
Galinas, Sean Brennan, Nicholas Celebrezze, Brian Day, Thomas Regas, Larry Napoli, Kenneth  
A. Ramser, Scott Tuma, Roy J. Jech Council members and Clerk of Council Thomas Mastroianni,  
to meet in *Special* session as aforesaid for the purposes aforesaid.

Hereof fail not and have you then and there this Writ, with your return thereon in what  
manner you have executed the same.

In testimony whereof, I have hereunto set my hand and caused the  
Corporate seal of said City to be hereunto affixed, the 25<sup>th</sup> day of  
August, A.D. 2006

/s/ Charles M. Germana  
Council, City of Parma Charles M. Germana President of Council

**CERTIFICATE OF SERVICE  
NOTICE OF SPECIAL MEETING OF COUNCIL**

I, Daniel A. Hoffman, Chief of Police of the City of Parma, Ohio, do hereby certify that on  
August 25, 2006, I received the notices of a Special Meeting of Council, a copy of which is  
attached hereto, and that in accordance with the instructions given to me, I have served each  
person named in the notice with the notice either personally or by leaving a copy of such notice,  
and the last of the persons named on the notices was served at his usual place of residence with  
the notice of August 25, 2006, at 7:57 o'clock P.M., which date and time is more than twelve  
hours prior to the time of the Special Meeting.

Signed Daniel A. Hoffman,  
Chief of Police,  
City of Parma, Ohio.

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**DISPENSE WITH THE REGULAR ORDER OF BUSINESS**

Motion made by Councilman Brennan, seconded by Councilman Day, to dispense with  
the regular order of business and to waive the Rules of Council at this time in order to hold this  
Special Council Meeting. Motion carried.

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**LEGISLATIVE COMMENT**

Mr. Germana – Asked if there was anyone from the public who would like to comment on  
the legislation that is up for passage this evening. No one wished to comment.

## **VARIANCES:**

Proposal to Vary for the applicants James & Bonnie Bosela, 3925 Dentzler Road, Parma, Ohio 44134, PPN 452-36-001 & 050. The request is for an "Area" Variance of Section 1187.01(a) AREA REGULATIONS – AREA DISTRICTS CLASSIFICATIONS. Minimum lot area requirements per dwelling in "A" district with sanitary sewers in 9,000 square feet in area with minimum lot size of 60' wide x 150' deep. The proposal is to split the parcel into 2 separate parcels with the existing house remaining on Parcel 1, and a new single-family dwelling to be built on Parcel 2 at 3925 Dentzler Road – Parcel 1 and Parcel 2. Parcel 1 is to be 105.50' wide x 112.87' in depth. This Variance would result in 37.13' less in depth for Parcel 1. Parcel 2 is to be 90' wide x 105.50' in depth. This Variance would result in 44.50' less in depth for Parcel 2.

Mr. Germana – Said Variance will be referred to the Planning Committee.

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Proposal to Vary for the applicant, PPN 449-04-058 & 059. The first request is for an "Area" Variance of Section 1153.03(a) – SINGLE FAMILY HOUSE DISTRICTS – ACCESSORY USES AND BUILDINGS – PRIVATE GARAGES AND PARKING AREAS. Maximum size garage permitted on a lot size of 5,400 square feet is 526 square feet in area. The proposal is to build a garage larger than Code permits to be located to the front of the house. The proposed garage size is 576 square feet. This Variance would result in 50 more square feet over maximum size of garage permitted. This is with the stipulation that the garage would be turned to be a side-load garage and the front face (south face of the new garage) would have windows, curtains and some other type of architectural feature to make it appear more like a home from the street. Another stipulation is that there is to be no out building.

The second request is for an "Area" Variance of Section 1191.01 – REAR YARDS – RESIDENCE DISTRICTS. No one-story building shall be located nearer to the front of the street line than 100'. The proposal is to build a garage larger than Code permits to be located to the front of the house 50' from the street line. This Variance would result in the garage being built 50' nearer to front street line than Code allows.

Mr. Germana – Said Variances will be referred to the Planning Committee.

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Ferenc and Clara Boda have requested an extension to the Variance which was granted on September 6, 2005, for the property located on Roanoke Drive, Parcel "C". The PPN is "Parcel C". The request is for an "Area" Variance of Section 1187.01(a) – AREA REGULATIONS – AREA DISTRICT CLASSIFICATION. The proposal is to build a new single-family dwelling on a lot with sanitary sewer. The minimum lot size required by Code is 9,000 square feet, 60' wide x 150' deep. The proposed lot size is 9,100 square feet, 70' wide x 130' deep. This Variance would result in 20' less lot depth. The following stipulations would apply:

1. The applicant agreed that the road extension that shows on the drawing submitted is at the applicant's own costs and at no cost to the City.
2. The Planning Committee of Council added the stipulation for like construction of new properties in style and fashion.

Motion made by Councilman Celebrezze, seconded by Councilman Day, to grant the Variance extension to Ferenc and Clara Boda. Motion carried.

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## **SECOND READING:**

ORDINANCE NO. 262-06

8/7/06

L-262-06

BY: **S. M. TUMA**

(By Request – Community Development Director)

AN ORDINANCE AUTHORIZING THE DIRECTOR OF COMMUNITY DEVELOPMENT TO IMPLEMENT THE ANNUAL SIDEWALK REPLACEMENT PROGRAM AND TO ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER FOR REPLACEMENT OF ALL DESIGNATED BLIGHTED AND DANGEROUS SECTIONS OF PUBLIC SIDEWALK IN THE CITY OF PARMA, AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma, seconded by Councilman Day, to refer Ordinance No. 262-06 back to the Finance Committee. Motion carried.

ORDINANCE NO. 270-06

7/24/06

L-270-06

(Special Meeting)

BY: **S. P. BRENNAN**

(By Request – Human Resources Director)

AN ORDINANCE TO AMEND SECTION 155.08 "COMPETITIVE BIDDING REQUIRED" OF THE CODIFIED ORDINANCES OF THE CITY OF PARMA RELATIVE TO COMPETITIVE BIDDING PROCEDURES FOR EMPLOYEE HEALTH CARE, ADMINISTRATION, STOP-LOSS INSURANCE COVERAGE, AND OTHER INSURANCE POLICIES OR CONTRACTS, AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma, seconded by Councilman Day, to refer Ordinance No. 270-06 back to the Finance Committee. Motion carried.

#### **SUSPENSION OF THE RULES:**

RESOLUTION NO. 291-06

8/28/06

L-308-06

(Special Meeting)

BY: **M. GALINAS**, S. P. BRENNAN, N. J. CELEBREZZE, B. DAY, R. J. JECH, K. A. RAMSER, T. J. REGAS, S. M. TUMA

A RESOLUTION REQUESTING THE STATE AND FEDERAL LEGISLATURE TO DECLARE SEPTEMBER 11<sup>TH</sup> TO BE "NATIONAL FIREFIGHTERS DAY" ALL ACROSS AMERICA, AND DECLARING AN EMERGENCY

Mr. Germana – Shall the statutory provision and Rule 47 requiring the full and distinct reading of Resolution No. 291-06 on three different days be dispensed with?

Yes: Tuma, Brennan, Celebrezze, Day, Galinas, Jech, Ramser, Regas.

No: None; motion carried.

Mr. Germana – Shall Rule 44 requiring reference to Committee be dispensed with and Resolution No. 291-06 be placed on final passage?

Yes: Tuma, Brennan, Celebrezze, Day, Galinas, Jech, Ramser, Regas.

No: None; motion carried.

Motion made by Councilman Brennan, seconded by Councilman Day, to adopt Resolution No. 291-06.

#### **SUSPENSION OF THE RULES CONTINUED:**

Yes: Tuma, Brennan, Celebrezze, Day, \*Galinas, Jech, Ramser, Regas.

No: None; Ordinance No. 291-06 is adopted.

\*Councilwoman Galinas – Stated, this came to her attention because a son of a fire fighter who was killed on September 11<sup>th</sup> has a motion out there for our country to do something in regard to fire fighters. He would like September 11<sup>th</sup> to be “National Firefighters Day”. This Resolution is supporting this young man’s wish to recognize fallen heroes in our country.

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ORDINANCE NO. 303-06

8/28/06

L-304-06

(Special Meeting)

BY: **S. M. TUMA**

(By Request – Auditor)

AN ORDINANCE TO AMEND THE 2006 PERMANENT  
APPROPRIATIONS OF THE CITY OF PARMA, OHIO,  
AND DECLARING AN EMERGENCY

Mr. Germana – Shall the statutory provision and Rule 47 requiring the full and distinct reading of Ordinance No. 303-06 on three different days be dispensed with?

Yes: Tuma, Brennan, Celebrezze, Day, Galinas, Jech, Ramser, Regas.

No: None; motion carried.

Mr. Germana – Shall Rule 44 requiring reference to Committee be dispensed with and Ordinance No. 303-06 be placed on final passage?

Yes: Tuma, Brennan, Celebrezze, Day, Galinas, Jech, Ramser, Regas.

No: None; motion carried.

Motion made by Councilman Brennan, seconded by Councilman Day, to adopt Ordinance No. 303-06.

Yes: Tuma, Brennan, Celebrezze, Day, Galinas, Jech, Ramser, Regas.

No: None; Ordinance No. 303-06 is adopted.

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ORDINANCE NO. 304-06

8/28/06

L-305-06

(Special Meeting)

BY: **S. M. TUMA**

(By Request – Auditor)

AN ORDINANCE AUTHORIZING THE TRANSFER OF  
APPROPRIATIONS WITHIN THE 2006 PERMANENT  
APPROPRIATIONS OF THE CITY OF PARMA, AND  
DECLARING AN EMERGENCY

Mr. Germana – Shall the statutory provision and Rule 47 requiring the full and distinct reading of Ordinance No. 304-06 on three different days be dispensed with?

Yes: Tuma, Brennan, Celebrezze, Day, Galinas, Jech, Ramser, Regas.

No: None; motion carried.

Mr. Germana – Shall Rule 44 requiring reference to Committee be dispensed with and Ordinance No. 304-06 be placed on final passage?

Yes: Tuma, Brennan, Celebrezze, Day, Galinas, Jech, Ramser, Regas.

No: None; motion carried.

Motion made by Councilman Brennan, seconded by Councilman Day, to adopt Ordinance No. 304-06.

Yes: Tuma, Brennan, Celebrezze, Day, Galinas, Jech, Ramser, Regas.

No: None; Ordinance No. 304-06 is adopted.

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**SUSPENSION OF THE RULES CONTINUED:**

RESOLUTION NO. 305-06

8/28/06

L-306-06

(Special Meeting)

BY: **S. M. TUMA**

(By Request – Auditor)

A RESOLUTION APPROVING THE CITY AUDITOR'S  
POST CERTIFICATION OF REQUISITIONS AS DETAILED  
IN EXHIBIT "A", AND DECLARING AN EMERGENCY

Mr. Germana – Shall the statutory provision and Rule 47 requiring the full and distinct reading of Resolution No. 305-06 on three different days be dispensed with?

Yes: Tuma, Brennan, Celebrezze, Day, Galinas, Jech, Ramser, Regas.

No: None; motion carried.

Mr. Germana – Shall Rule 44 requiring reference to Committee be dispensed with and Resolution no. 305-06 be placed on final passage?

Yes: Tuma, Brennan, Celebrezze, Day, Galinas, Jech, Ramser, Regas.

No: None; motion carried.

Motion made by Councilman Brennan, seconded by Councilman Day, to adopt Resolution No. 305-06.

Yes: Tuma, Brennan, Celebrezze, Day, Galinas, Jech, Ramser, Regas.

No: None; Resolution No. 305-06 is adopted.

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RESOLUTION NO. 306-06

8/28/06

L-307-06

(Special Meeting)

BY: **S. M. TUMA**

(By Request – Auditor)

A RESOLUTION APPROVING THE CITY AUDITOR'S  
CASH TRANSFERS, AND DECLARING AN EMERGENCY

Mr. Germana – Shall the statutory provision and Rule 47 requiring the full and distinct reading of Resolution No. 306-06 on three different days be dispensed with?

Yes: Tuma, Brennan, Celebrezze, Day, Galinas, Jech, Ramser, Regas.

No: None; motion carried.

Mr. Germana – Shall Rule 44 requiring reference to Committee be dispensed with and Resolution No. 306-06 be placed on final passage?

Yes: Tuma, Brennan, Celebrezze, Day, Galinas, Jech, Ramser, Regas.

No: None; motion carried.

Motion made by Councilman Brennan, seconded by Councilman Day, to adopt Resolution No. 306-06.

Yes: Tuma, Brennan, Celebrezze, Day, Galinas, Jech, Ramser, Regas.

No: None; Resolution No. 306-06 is adopted.

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**REPORT ON ABSENT MEMBERS**

Motion made by Councilman Brennan, seconded by Councilman Day, to excuse Councilman Larry Napoli. Motion carried.

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**ADJOURNMENT**

Motion made by Councilman Brennan, seconded by Councilman Day, to adjourn said Special Council Meeting. Motion carried.

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**CERTIFICATION**

I, Thomas Mastroianni, Clerk of Council for the City of Parma, Ohio, do hereby certify that the above is a true and correct copy of the Minutes of the Special Council Meeting held on Monday, August 28, 2006.

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THOMAS MASTROIANNI  
CLERK OF COUNCIL

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CHARLES M. GERMANA  
PRESIDENT OF COUNCIL

Meeting adjourned at 7:15 P.M.

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Minutes completed Friday, September 1, 2006